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| <b>TRANSMITTAL FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number   | 09/785,402             |               |
|   | Filing Date          | February 20, 2001      |               |
|   | First Named Inventor | Noboru Takachio et al. |               |
|   | Art Unit             | 2633                   |               |
|   | Examiner Name        | David C. Payne         |               |
| Total Number of Pages in This Submission  | 8                    | Attorney Docket Number | 034620-000084 |

**ENCLOSURES (check all that apply)**☐ Fee Transmittal Form☐ Fee Attached☒ Response to Restriction Requirement☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/Incomplete Application☐ Response to Missing Parts under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a Provisional Application☐ Power of Attorney, Revocation Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) \_\_\_\_\_☐ After Allowance Communication to Group☐ Appeal Communication to Board of Appeals and Interferences☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s)  
(please identify below):

Copy of returned PTO 1449 filed 2/16/01, copy of returned PTO 1449 filed 2/19/04 and Limited Recognition Under 37 CFR §10.9(b)

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|                         |  |
|-------------------------|--|
| Firm or Individual name | Masako Ando, Limited Recognition Under 37 CFR §10.9(b) |
| Signature               |  |
| Date                    | 9/15/04  |

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|                       |            |
|-----------------------|------------|
| Typed or printed name | Carol Diez |
| Signature             |            |
| Date                  | 9-15-04    |

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Docket No.: 034620-000084

2633

IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Noboru Takachio et al.  
SERIAL NO.: 09/785,402  
FILING DATE: February 20, 2001  
TITLE: Node Apparatus, Optical Wavelength Division Multiplexing  
Network, And System Switching Method  
EXAMINER: David C. Payne (Tel. No.: (703) 306-0004)  
(Fax No.: (703) 872-9306)  
ART UNIT: 2633

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**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

This paper is responsive to the restriction requirement dated June 15, 2004.

**Remarks** begin on page 2 of this paper.

An **Appendix** including the following document is attached following page 4 of this paper:

A copy of the returned PTO Form 1449 filed on February 16, 2001.

A copy of the returned PTO Form 1449 filed on February 19, 2004.

A copy of grant of Limited Recognition under 37 CFR §10.9(b) for the undersigned to prosecute the patent application before the United States Patent and Trademark Office for the file record.